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WHAT IS SOCIALISM ?

BY A. MAURICE LOW

III

AN EXPLANATION OF "THE RIGHTS " MEN ENJOY IN A STATE OF
CIVILIZED SOCIETY

THE Socialist believes that the mere fact of birth endows man with certain " rights " which it is the duty of society to permit him to enjoy without molestation. There is, perhaps, no word that is more commonly used and more frequently abused by the Socialist than this word " rights," and it is because of his confusion of ideas and his inability to recognize that there is no such thing as an " inalienable right " that he is so easily deluded by the fallacies of Socialism.

It is, of course, a rash thing in this age to assert that in an organized state of society a " natural " or " inalienable " right does not exist. There is the Declaration of Independence still vibrant with Jefferson's passionate spirit to inspire men to hold fast in the faith of the doctrine of " inalienable rights." There are the works of the great philosophers who labored with such zeal to convince the world that there is an inherent " natural right " in man. Yet without presumption it may be repeated that man has no " natural rights."

That which more than anything marks the distinction between civilized and uncivilized society is that in the former the individual is nothing and society is everything; in the latter society is nothing and the individual is everything. The truth of this will be seen.

Among a savage people—a people so savage that they are not superior to the brutes—there is no law, and the only law is the law of the strong exactly as it is among the brutes. The lion seizes his prey because he has the strength; the jackal may starve so far as the lion is concerned. It is

the same with the savage. He obeys the natural law, which is self-preservation. Whenever a people recognize, by tribal observation or some other form, that force is not the only law they have made the first step toward progress. It is only among a savage or barbarous people that man enjoys a "natural right"—that is, the right to exert his strength at the expense of his weaker neighbor.

In a civilized society man has no rights except those which society permits him to enjoy. From the day of his birth until the day of his death society allows him to enjoy certain so-called rights and deprives him of others; not, it should be understood, because society desires especially to favor or oppress the individual, but because its own preservation, welfare, and happiness are the prime considerations. And so that society may not perish, so that it may reach a still higher plane, so that men and women may become better citizens, society permits them certain privileges and restricts them in the use of others. Sometimes in the exercise of this power the individual is put to a great deal of inconvenience, even, at times, he suffers what appears to be injustice. This is to be regretted, but it is inevitable. The aim of civilized society is to do the greatest good to the greatest number, and because the largest number may derive benefit from the largest good the individual must subordinate his own desires or inclinations for the benefit of all. Examples of this deference of the individual to the mass we see at every hand. Let me make my point clear with a trifling illustration, which is typical of that yielding of the "rights" of the person to the larger "rights" of society.

Those persons who assert the "inherent rights" of a man will not deny that it is his "right," if he sees fit to exercise it, to drink whiskey where and when he pleases, for surely it cannot be logically contended that one man has no "right" to drink whiskey and another man has a "right" to drink water. Society dismisses the question of the right of the individual and turns it into a privilege. Society says to the man: "Under certain conditions and under certain restrictions you may drink whiskey."

"That," says the man, "is to deprive me of my right. I want to drink as my mood is and not according to your foolish, inconvenient, and unjust regulations."

Society replies: "Your protest is sound, but it is overruled. We do not consider your convenience, not even your

personal necessity, for we are quite prepared to admit you will suffer in consequence of our laws. But unless we deprive you of your right an injury will be done to society at large; and, of course, your right must give way so that society may not be harmed."

It seems unnecessary to explain why society deprives a man of the "right" indiscriminately to purchase or drink whiskey or why each one of us, perhaps, a hundred times a day is denied the exercise of certain "rights" or restricted in the use of others; but it may be well to point out that the collective wisdom of society is ever seeking to strengthen justice, to give a larger measure of freedom to the individual, to prevent oppression, to enlarge opportunity, to make society as a whole harmonious by making the welfare of society dependent upon the contentment of the individual. It would be foolish to pretend that society has reached the end for which it is ever striving, but it would be an insult to intelligence to deny that the constant tendency is upward or that the world has not advanced a long way toward the goal it hopes to reach. Progress at times is slow, painfully slow, and the naked feet of the children of men are cut by the stones that encumber the road over which they toil so tearfully; but it is their blood and their tears that wash away the obstacles and make the road easier for those who come after them. Even the Socialist has to admit there has been progress. Mr. Keir Hardie, the English Socialist, in his book *From Serfdom to Socialism* says:

"In our own country the boundaries of freedom have been widening with the progress of the ages. The slave of a thousand years ago, with no more right than the swine he tended, has fought his way upward through serfdom to citizenship. The modern workman is, theoretically, the equal in the eye of the law of every other class. His vote carries equal weight in the ballot-box with that of the millionaire who employs him; he is as free to worship when and how he pleases as the noblest baron; his rights are in all respects the same as theirs."

Mr. Keir Hardie does not recognize that the reason why the modern workman has the same rights as "the millionaire who employs him" is that society has deprived every one of his "natural rights," and for them, has substituted certain socialized privileges that are artificial, but the enjoyment of which are secured to all. In the old days Mr. Keir Hardie's "noblest baron" would have enjoyed rights which

were denied the serf, and that was the golden age of natural rights. The baron, because he had the force or the cunning, made his serfs work for him, which was the natural right exercised by the strong over the weak. When society took away these rights it destroyed serfdom and made the former serf equal to the baron, not because the serf had one set of rights and the baron another, but because neither had any inherent rights, but both were granted certain privileges at the discretion of society so long as their use did no injury to society, but was, on the contrary, for the general benefit of society.

Here it is not out of place to call attention to the distinction between what are known as "moral rights" and the so-called "natural rights," but which, as I have already shown, are in no sense natural, but are purely artificial—that is, the conventions of society made for its own governance. The question of moral rights I shall not discuss, for that is a matter that belongs to the theologians; but a great deal of confusion is caused by men mixing up the moral law with the law made by man. It is sufficient here to say that when men talk about their "moral right" to be as well fed or as well clothed as their neighbors they are simply resorting to a vague phrase so as to escape having to use more exact terms; or else they are incapable of understanding that society is purely an artificial creation and subject to the laws made by the majority for what it believes is its own good. Men claim they have a "moral right," for instance, to life and liberty; but, of course, there is no such thing as a right to either, although they are permitted the enjoyment of both so long as they use them in the manner which society sanctions. Under certain exceptional circumstances a man is deprived of his life by judicial process and with the approval of society; men are frequently deprived of their liberty, sometimes perpetually, sometimes for varying periods. If there was such a thing as a moral right to life or liberty, judges who sentenced prisoners, executioners who executed them, jailers, sheriffs, guards, policeman—every one, in short, connected with the administration of justice—would be a moral outlaw, instead of which we defer to the opinions of judges and treat the administrators of justice with respect. A hundred years ago persons were deprived of their life for many trivial offenses and liberty was unknown; liberty has been granted

and human life is held more sacred, not because a moral right exists to-day which did not exist a hundred years ago, but because man has advanced on the road to civilization. He sees the folly of taking the life of a woman for stealing a loaf of bread to save her baby from starvation; the privilege of liberty has been given because in the natural order of things the more intelligent men become the greater the liberty they demand; and that liberty they are permitted to enjoy, always, however, with the restriction that they must not infringe the liberty of any one else. That is what we mean when we talk about "rights."

To the individual certain so-called rights are granted because they are believed to be equally as advantageous to society as to the individual, and these are known as "vested rights." For instance, a man is given the right to buy a piece of property and to own it; he may do with it as he pleases — subject always to restrictions. He may let his property lie idle, or he may live in the house he builds on it, or rent the house, or he may sell the property and make a profit, or he may give it away. To that extent he has liberty of action, but here again society steps in and puts a limitation on his liberty. He may build his house of a prescribed height; he may use certain materials, but must not use others; he must comply with certain regulations governing construction; on a certain piece of property he may build a house, but he must not build a shop or a factory. So long as the individual obeys the rules made by society he is secure in the enjoyment of his "vested rights."

How does the individual come to enjoy a vested right or a right in anything? Every right and every restriction of a right is, as I have already said, simply the concrete expression of society, and the only way by which society can make its voice heard is to speak through the law. There is, of course, no difference between a large right and a little right, for the law makes no fine distinctions in principle. A man is no more secure in his property, which may have cost a hundred thousand dollars, than is the Socialist in his collar, which may have cost twenty-five cents. If a collarless Socialist should approach a Socialist on the street and say to him, "Give me your collar, for I have none, and the presumption is that as you are wearing a collar you have another at home and you can afford to part with your surplus," it is more than a probability that the demand

would be refused; and should the attempt be made to take the collar by force the law would be invoked for the protection of the Socialist's property. Here, you see, there is no question raised of the "moral" right of the man to retain possession of his collar; he is simply upholding the right that society has granted him. When Socialists talk about their "rights" they forget that they are attacking the law, and they further forget that under any system there must be laws, and the laws must be respected—that is, unless anarchy is to take place of law; and then, of course, there would be hopeless confusion, and the only law would be that of the strong, and the weak would suffer miserably at the hands of the strong, who, unrestrained by law, would know no law except the law of force.

The Socialist who preaches revolution would destroy all laws because he believes, or at least asserts, that the present laws are unjust and inadequate; but even if he should destroy every law in existence he must either enact a new code or there would be a revolution greater and more disastrous than that which he brought about. The moment he gave his sanction to a new set of laws that moment he would again come back to where he began his work of destruction and admit that mankind may only have those rights which society embodies in the law. The laws made by the revolutionary Socialist might be better than those now in existence or a great deal worse—that is, not of consequence, for all laws are merely a matter of experiment and evolution, and the vital principle is not affected, which is: That no man in a civilized state of society may do anything as a matter of right, but only as a favor granted by his fellow-men. When each man claims the right to do as he sees fit you have anarchy; when you lay even the slightest restriction on man's actions you have laid the foundation of law and the recognition that the right of the individual to exercise his will or his passions is subordinate to the right reserved by society to say what is good and what is harmful.

But the Socialist says that the rights which society now grants are injurious, and that he could create a better code. That, of course, is merely the arrogance of ignorance. It is notorious that the freest critics are those who have no power to create and who think that a thing they have never done is always easy. No doubt there are wise men among Socialists, but after all is said they are merely men; and

there is no reason to believe that the concrete wisdom of the Socialists is greater than the rest of humanity which for hundreds of years has been seeking justice and right. Mankind is neither all good nor all bad. Even at a time when there was little justice there was always a saving remnant passionately preaching justice, contending for it against all opposition, until finally justice was established. That work is not finished; we are still striving for justice more exact, for absolute equality, for that breaking down of privilege which gives one man an unfair advantage over another. But when the Socialist says that he alone knows what is right or what is just, then we see that he is either dishonest or foolish. What is just? What is right? It is not what one man thinks, it is what society as a whole believes; and the Socialist proposes to try a dangerous experiment to show that he has greater wisdom than all the rest. And it is admittedly an experiment. Those of us who see the fallacies of Socialism are reluctant to have it tried. Certainly we are not willing to have the experiment made by men who have so little understanding of the structure of society that they talk about "rights" where no rights exist and when they are driven into a corner shift their ground by assuming to be able to create more perfect "rights" than those now established.

It cannot too often be repeated that there is no such thing as a "right." There are privileges which society can grant or reclaim as it sees fit. There can be no more effective way of disposing of some of the absurd claims of the Socialist than to remind him of that fact.

A. MAURICE LOW.

(To be Continued)